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Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

DA 06-90
January 19, 2006

WIRELESS TELECOMMUNICATIONS BUREAU ACTION

COMMENTS INVITED ON NEW ENGLAND AREA (REGION 19) PUBLIC SAFETY PLAN AMENDMENT

(GEN. DOCKET NO. 90-53)

Comment Date: February 21, 2006

Reply Date: March 8, 2006

On December 29, 2005, Region 19 (New England)¹ 800 MHz Radio Planning Committee (RPC) submitted a proposed amendment² to its Public Safety Plan (Plan) that would revise its frequency allocation table as a result of the RPC's Eighteenth Window application process.³ The proposed allocations provide new assignments for the Connecticut State Police; North Providence, Rhode Island; Hartford Hospital and the Western Massachusetts Law Enforcement Council, Inc. (WMLEC).⁴

The proposed Plan Amendment was reviewed by, and letters of concurrence obtained from, Region 19's adjacent regions, Region 8 (New York - Metropolitan)⁵ and Region 30 (New York).⁶

¹ The Region 19 New England 800 MHz regional planning area is comprised of six states: Connecticut (except Fairfield County), Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

² See Letter dated December 28, 2005, from George J. Pohorilak, Chairman, Region 19 New England Radio Planning Committee, to Marlene Dortch, Secretary, FCC (submitting Amendment to Region 19 NPSPAC Plan) filed December 29, 2005 (Plan Amendment).

³ Region 19 periodically opens filing windows. Requests for new or additional frequencies are accepted only during these windows.

⁴ See Plan Amendment Attachment, *Amendment to the Regional Public Safety Plan, Docket 90-53, New England Area - Region 19, Channel Allocation for Region 19 Window Eighteen*.

⁵ Region 8 (New York-Metropolitan) includes Fairfield County, Connecticut; Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk and Westchester Counties, New York; and Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union Counties, New Jersey.

In accordance with the National Public Safety Plan, each region is responsible for planning its use of public safety radio frequency spectrum in the 821-824/866-869 MHz bands.⁷ The National Plan specifies special policies and procedures governing the Public Safety Pool.⁸ Regional plans must include an explanation of how the plan has been coordinated with adjacent regions. For modifications, the regional chair may recommend, in writing, changes to a regional plan, and the Commission will give public notice soliciting comment on any such proposals and issue appropriate orders upon review.⁹ The Public Safety Plan for Region 19, which was adopted by the Commission on April 26, 1990, governs the use of frequency assignments in the 821-824/866-869 MHz within the New England area.¹⁰

Prior to taking action on the Region 19 Plan Amendment, by this Public Notice, we solicit comments on the Plan Amendment. Pursuant to Sections 1.415 and 1.419 of the Commission's Rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **February 21, 2006** and reply comments on or before **March 8, 2006**. All comments should reference **General Docket 90-53**, and should be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., TW-A325, Washington, D.C. 20554.

This address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail. Hand-delivered or messenger-delivered documents for the Commission's Secretary are accepted only by the Commission's contractor, Natek, Inc., at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering 236 Massachusetts Avenue, N.E. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service Express Mail and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. See FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).

The Plan Amendment can be accessed electronically via the Commission's Electronic Comment Filing System (ECFS), <http://www.fcc.gov/cgb/ecfs/>.¹¹ Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference

⁶ Region 30 (New York) includes all New York counties except the area in New York- Metropolitan, Region 8.

⁷ See Development and Implementation of a Public Safety National Plan and Amendment to Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/866-869 MHz Bands by the Public Safety Services, *Report and Order*, Gen. Docket No. 87-112, 3 FCC Rcd 905 (1987).

⁸ See 47 C.F.R. § 90.16, Public Safety National Plan.

⁹ See *National Plan Report and Order*, 3 FCC Rcd at 911 ¶ 57.

¹⁰ See *In the Matter of New England Area Public Safety Plan*, *Order*, Gen. Docket 90-53, 5 FCC Rcd 2844 (1990).

¹¹ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. Copies also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554. Customers may contact BCPI through its web site, <http://www.bcpweb.com>, by email at fcc@bcpweb.com, by phone at (202) 488-5300 or (800) 378-3160, or by facsimile at (202) 488-5563.

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For further information, contact Jeannie Benfaida, of the Public Safety and Critical Infrastructure Division of the Wireless Telecommunications Bureau at (202) 418-0694 (voice), (202) 418-7233 (TTY), or Jeannie.Benfaida@fcc.gov (email).

Action by the Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau.

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